

EXHIBIT 1

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

VIRGINIA ELIZONDO

Plaintiff,

v.

SPRING BRANCH INDEPENDENT SCHOOL DISTRICT, et al.

Defendants.

SUPPLEMENT TO EXPERT REPORT RE: 2022 SBISD TRUSTEE ELECTIONS
of
Robert M. Stein, Ph.D.

October 10, 2022

Ecological Inference (EI) analysis of 2022 SBISD Trustee Elections

In 2022 three trustee positions, 5, 6 and 7 were on the ballot. All three elections were contested. The results of the EI analysis of racial polarized voting shows:

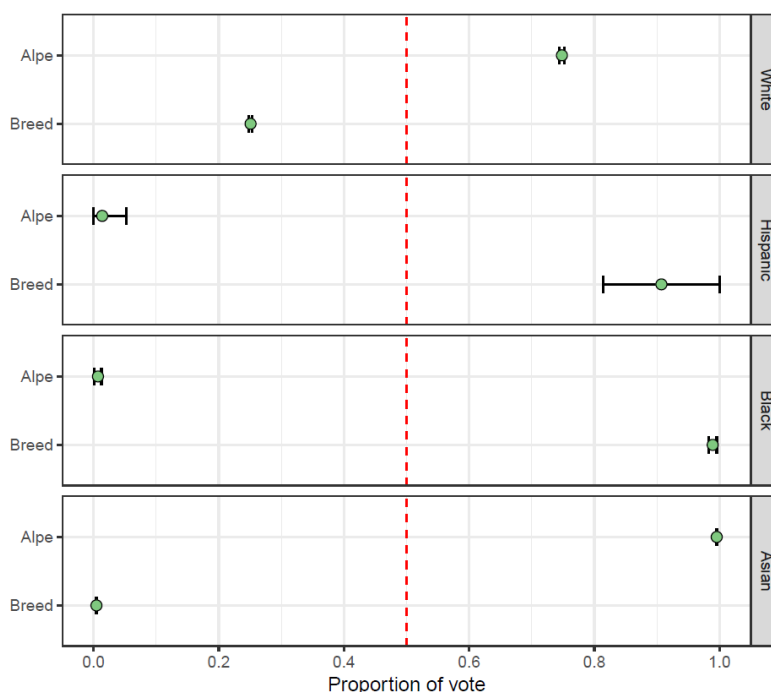
- There is statistically significant evidence of racial polarized voting in the 2022 Spring Branch Independent District's Board of Trustees elections.
- White Non-Hispanics voted sufficiently as a bloc to enable them, in the absence of special circumstances (e.g., single-member districts), to defeat the minority voters' preferred candidates of choice in each of the three 2022 trustee elections.

District Trustee 5 Election

Two candidates contested for the SBISD District Trustee Position 5 seat. Alpe defeated Breed by a margin of 67% to 33%. The EI estimates of the mean proportion of White and Hispanic vote for each candidate in the District 5 Trustee election are significantly skewed. Alpe received a 76% mean share of the White vote while Breed garnered a 25% mean share of White voters' support. Breed received a 93% mean share of the Hispanic vote and Alpe received a 3% mean share of Hispanic voters' support. Breed received a 93% mean share of the Hispanic vote and Alpe received a 3% mean share of Hispanic voters' support.

These findings provide evidence of racial polarized voting in the election for Trustee Position 5, sufficient to prevent the candidate preferred by Hispanic voters, Breed, from being elected. The cohesiveness of White voter support for Alpe and against Breed, the preferred Hispanic candidate, was sufficient to prevent the election of Breed.

Ecological Inference Analysis of Racial Polarized Voting in 2022 Spring Branch ISD District 5 Trustee Election



District Trustee 6 Election

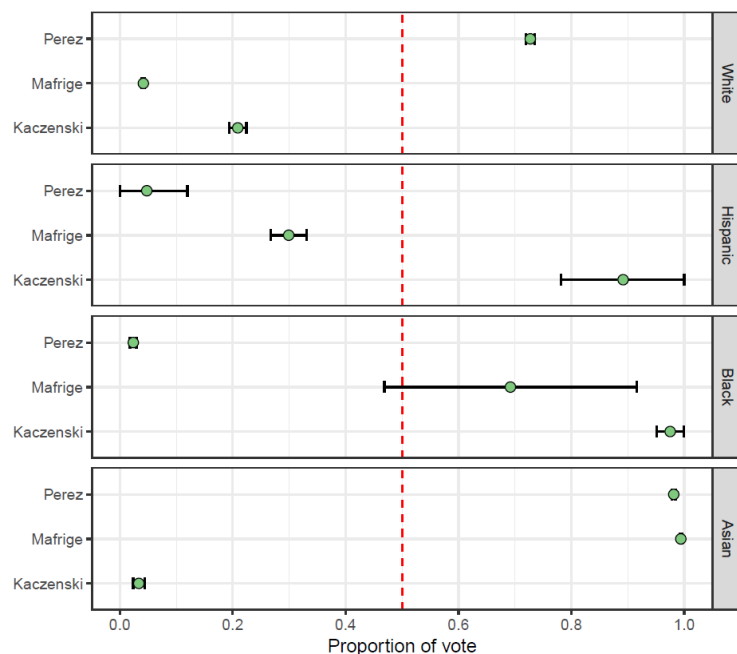
Three candidates contested for SBID Trustee Position 6 seat, including Perez, Mafrige and Kaczinski. The winner, Perez garnered 65.6% of the votes cast, Kaczinski finished second 27.8% of the votes cast and Mafrige received 6.6% of the votes cast.

White voters overwhelmingly preferred Perez to Mafrige and Kaczinski. Perez received a 73% mean share of the White vote while Mafrige and Kaczinski received a 5% and a 21% mean share of the White vote respectively. Kaczinski received an 83% mean share of Hispanic voters' support compared to a 5% and a 30% mean share of Hispanic vote for Perez and Mafrige respectively.

The election for Trustee Position 6 demonstrates racial polarized voting. Hispanic and White voters demonstrate sufficient cohesiveness in their support for different candidates. The cohesiveness of White voter support for Perez was sufficient to elect Perez, and block the election of Hispanic voters' preferred candidate, Kaczinski.

It is noteworthy that a Hispanic surname candidate—Perez—garnered miniscule support among Hispanic voters, while the White candidate, Kaczinski received in excess of 80% of the Hispanic vote. Hispanic voters in SBISD were not persuaded to vote for Mr. Perez solely on the basis of his Hispanic surname, a not unexpected finding. A preferred candidate of Hispanic voters does not assume nor require that the preferred Hispanic candidate share the race or ethnicity of Hispanic voters.

Ecological Inference Analysis of Racial Polarized Voting in 2022 Spring Branch ISD District 6 Trustee Election

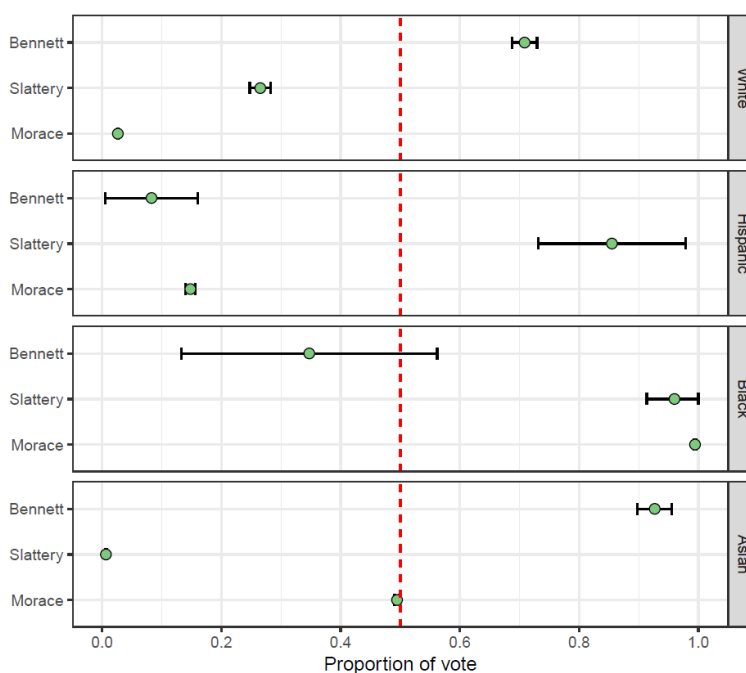


District Trustee 7 Election

Three candidates competed for the District Trustee 7 position in the 2022 election, including Bennett, Slattery and Morace. Bennett, the winner of the election received a 73% mean share of the White vote while the other two candidates, Morace and Slattery received a mean share of the White vote of 5% and 25% respectively. Bennett drew a 11% average share of the Hispanic vote. Slattery, the preferred candidate among Hispanic voters received an 82% mean share of the Hispanic vote, while Morace received a 15% mean share of the Hispanic vote.

The election of the Trustee Position 7 demonstrates racial polarized voting. Hispanic and White voters significantly diverged on their preferred candidates. Hispanics overwhelmingly and cohesively preferred Slattery over Bennett, the overwhelmingly preferred White candidate. These findings support the conclusion that the Trustee Position 7 election exhibits racial polarized voting.

Ecological Inference Analysis of Racial Polarized Voting in 2022 Spring Branch ISD District 7 Trustee Election



Conclusion

The 2022 Spring Branch ISD Trustee elections continues a trend of racial polarized voting in SBISD trustee elections dating back to 2015. In my initial and supplemental expert reports I identified five of the six contested trustee elections between 2015 and 2021 that exhibited significant racial polarized voting among Hispanic and White voters. The remaining contested election demonstrated modest racial polarized voting. In 2022, the trend in racial polarized voting in SBISD continued unabated. All three trustee elections on the 2022 ballot showed significant evidence of racial polarized voting

The degree of racial polarized voting observed in 2022 occurred in an election where more voters cast a ballot than in previous trustee elections. If more voters, especially white voters, engage in racial polarized voting it is more likely than not that Hispanic voters will continue to be unsuccessful in electing the candidates of their choice.

Executed on October 10, 2022.

Robert M. Stein

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